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Cushman & Wakefield of
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April 30, 2014

SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION

Mr. Steve Fagalde
Scott's Catering
255 Third Street, Suite 102
Oakland, CA 94607

RE: BCDC Permit 19-85(B) – Unapproved event(s) April 2014

Dear Steve,

Please be advised that the recent events held between Wednesday, April 23, 2014 and Tuesday, April 29, 2014 at the Public Pavilion is in violation of BCDC Permit 19-85(B).

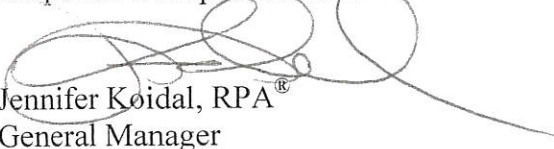
Our records indicate that the walls of the Pavilion were closed on April 23, 2014 at 1:03pm and were not reopened until April 29, 2014 at 3:05pm. This closure included the set up of an unapproved tent extension encroaching on the public access plaza on 04-28-2014. As stipulated in the BCDC Permit 19-85(B) Section B, paragraph 2(b) Public Pavilion Use, Scott's Restaurant shall only be allowed the use of 4,400 sf of the public access plaza for approved private events. Further to the terms of the Permit, Scott's Restaurant is required to remove Public Pavilion walls within one hour after the use of each event.

Our letter(s) dated March 12, 2014 and April 7, 2014 noted disapproval of the 2nd quarter private event calendar as the requested number of events and number of consecutive events dates were outside the provisions of the Permit. The closure of the walls on April 23, April 25 and April 28 were not submitted for approval and therefore are considered additional unapproved dates for Public Pavilion use by Scott's Restaurant.

The Port of Oakland and Cushman & Wakefield as their agent have repeatedly asked for your cooperation and adherence to the provisions of the permit and request that you and your staff comply with the guidelines set under this Permit through proper approval and communication.

Should you have any questions or concerns regarding this matter, please feel free to contact me via email at Jenni@jacklondonsquare.com or via phone at 510-64-9292 ext 223.

Cordially,
CUSHMAN & WAKEFIELD OF CA, INC. – Lic. #00616335
Corporate Occupier & Investor Services


Jennifer Koidal, RPA®
General Manager

cc Lease File
Carrie Morris, Ellis Partners
Julie Braun, Port of Oakland
Dorin Tiutin, Port of Oakland
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